

**Proposed Off-Street Parking Code Amendments – 3/12/2010**  
**(Revisions since 1-22-2010 PC Public Hearing shown in red text)**

**ARTICLE II. 63.200. PARKING REQUIREMENTS**

**Sec. 63.201. Off-street parking.**

~~Except in a B-4 or B-5 district, e~~ Off-street parking spaces shall be provided in all districts, ~~except B4 and B5,~~ at the time of erection, enlargement or expansion of all buildings in accordance with the requirements of this section. Before a certificate of occupancy shall be issued, the number of off-street parking spaces provided shall be as hereinafter prescribed. ~~In the TN3 traditional neighborhood district, the number of off-street parking spaces provided shall be at least two-thirds (2/3) of the number hereinafter prescribed.~~

**Sec. 63.202. Site plan required.**

A site plan approved by the planning commission shall be required for the establishment of a new off-street parking facility, for the paving of an unimproved off-street parking facility and for the repaving of an off-street parking facility whose existing paved surface is removed. These facilities shall meet all standards and regulations for parking facilities and site plans contained in this zoning code, and all paving shall require a building permit pursuant to chapter 33 of the Legislative Code. ~~In such case the zoning administrator determines that excess parking exists for the site, then the parking shall be brought into compliance with this zoning code unless there is an existing shared parking arrangement.~~ A site plan shall not be required when a new coating is applied over an existing paved surface. Site plans for one- to four-family dwellings may be approved by the zoning administrator.

**Sec. 63.203. Multi-tenant buildings and shared areas spaces.**

The parking requirement for each use in a multi-tenant building shall be determined based on the percentage of the gross floor area used by each use in the multi-tenant building ~~including shared areas.~~ ~~Any shared space, such as an atrium, common area, utility area, unfinished basement, public or shared restrooms, staircase or elevator area shall be considered, for purposes of determining parking requirements, the same as storage areas. Uses with access to these shared spaces shall be responsible for providing the required parking for these spaces.~~

**Sec. 63.204. Change in use within a structure.**

~~When any uses which exist within a structure change to a new use, the following rules shall apply:~~

~~(a) *Change in use requiring additional parking.* Except when commercial uses are established in the BC district or when parking is specifically required for a conditional use permit, when any existing uses change to new uses which require six (6) or more additional off-street parking spaces than the existing uses, the six (6) or more additional spaces shall be provided along with the spaces already provided. New uses which require five (5) or fewer spaces than the existing uses shall be exempt from providing additional spaces. However, this exemption provision shall be calculated cumulatively starting from adoption of this provision on January 3, 1994, so that no property receives a total exemption of more than five (5) spaces.~~

~~(b) *Change in use requiring less parking.* When any existing uses change to new uses which require fewer off-street parking spaces than the existing uses, the new uses requiring fewer off-street parking spaces shall be considered as the existing uses when determining any subsequent change in use requiring additional off-street parking spaces in (1) above.~~

~~When any existing use within a structure changes to a new use which requires more off-street parking spaces than the existing use as determined by Section 63.207, then the additional required off-street parking spaces must be provided. If fewer off-street parking spaces are required by the new use, excess parking spaces may remain.~~

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~~(c) Vacant structures.~~ When a structure, or part of a structure, is vacant, the zoning administrator shall determine the previous existing use for purposes of calculating parking requirements using city records, land use surveys or directories.

**Sec. 63.205. Change in use of parking areas.**

~~Designated or identifiable~~ ~~or~~ Existing off-street parking facilities, accessory to one (1) or more principal uses, structures or facilities, may be changed to another use when the remaining off-street parking meets the requirements that this section would impose on new buildings for all facilities, structures or uses, including the new use. When the remaining off-street parking does not meet such requirements, ~~other off-street parking shall be substituted for the parking spaces changed to another use, and~~ additional off-street parking shall be provided for the ~~existing and~~ new uses in accordance with the requirements of ~~this Section 63.207.~~

**Sec. 63.206. Rules for computing required parking.**

(a) For the purpose of computing the number of parking spaces required, the definition of "gross floor area" in section 60.207 shall apply.

(b) When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half (1/2) shall be disregarded, and any fraction over one-half (1/2) shall require one (1) parking space.

(c) There shall be provided off-street parking spaces for all premises licensed for on-sale intoxicating liquor (excluding restaurants licensed for wine, strong beer, or nonintoxicating malt liquor) or entertainment as provided herein:

(1) Issuance of a license to an existing structure not previously licensed during the twenty-four (24) months preceding the application, off-street parking pursuant to section 63.207.

(2) Expansion of a licensed structure with an on-sale intoxicating liquor ~~or an entertainment~~ license, off-street parking at the same rate as transfer or new issuance to an existing structure not previously licensed, plus twenty-five (25) percent of any parking shortfall for the existing building licensed area. "Parking shortfall" shall mean the difference between required parking pursuant to section 63.207 for the existing licensed structure minus the number of parking spaces actually provided for that structure.

(3) Expansion of a licensed structure with an on-sale intoxicating liquor ~~or an entertainment~~ license, or an upgrade in an entertainment license, when located within six hundred fifty (650) feet of another existing establishment with an on-sale intoxicating liquor or entertainment license shall provide an additional fifteen (15) percent of any parking shortfall.

~~(d) When at least one (1) of two (2) or more uses has a parking deficiency and their peak parking hours do not overlap, the zoning administrator may permit the dual function of their off-street parking spaces as long as peak parking hours for the uses do not overlap and the uses within the buildings do not change and thereby require additional off-street parking.~~

~~[Moved and revised under new Section 63.214, Accessible parking spaces.]~~ (e) ~~Accessible parking.~~ If parking spaces are provided for self-parking, accessible spaces shall be provided as required by the Accessibility Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA) in conformance with the table below. One (1) in every eight (8) accessible spaces, but at least, shall be van accessible. Required spaces need not be provided in the particular lot but may be provided in a different location if equivalent or greater accessibility is ensured. Each space reserved for the exclusive use of the handicapped shall be designated by a sign with the

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international wheelchair symbol. Parking facilities for residential uses with fewer than five (5) units are exempt from this standard but shall provide accessible spaces upon request of residents with handicaps.

Total Parking In Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 and over	20 plus 1 for each 100 over 1000

If an existing parking facility loses off-street parking spaces as a result of moving the facility toward compliance with the provisions of the Americans with Disabilities Act, the parking facility shall be credited with the number of parking spaces lost when calculating the total number of spaces provided for zoning purposes.

*[Moved and revised under new Section 63.215, Use of required parking facilities]* (f) The storage of merchandise or trucks, the repair of vehicles, or the business of selling merchandise is prohibited in off-street parking areas.

*(d) Shared Parking.* The zoning administrator may authorize a reduction in the total number of required parking spaces for two (2) or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Shared parking shall be subject to the location requirements of section 63.304 and the following conditions:

*(1) Computation.* The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:

a. Multiply the minimum parking required for each individual use, as set forth in section 63.207, Parking requirements by use, by the appropriate percentage indicated in table 63.206(d), shared parking, for each of the six (6) designated time periods.

b. Add the resulting sums for each of the six (6) columns.

c. The minimum shared parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.

*(2) Other uses or hours of operation.* If one (1) or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications or hours of operation in table 63.206(d), shared parking, as determined by the zoning administrator, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the zoning administrator shall determine the appropriate shared parking requirement, if any, for such uses.

*(3) Alternative procedure.* An application may be submitted requesting that the zoning administrator authorize a greater reduction in the total number of required parking spaces for two (2) or more uses where an applicant believes that table 63.206(d), shared parking, does not adequately account for circumstances unique to the particular property or properties in question. The application shall include, at a minimum, a

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parking study with a detailed description of the proposed uses, their hours of operation, their anticipated peak parking demand, and anticipated hours that such peak parking demand would occur. Based upon information demonstrating that the peak parking demand for the uses in question would not coincide, the zoning administrator may authorize a greater parking reduction than is authorized by table 63.206(d), shared parking.

(4) *Process.* An application for shared parking shall be submitted on a form approved by the zoning administrator. The zoning administrator may impose reasonable conditions to mitigate potential negative effects of a shared parking agreement. Planning commission approval is required if a shared parking agreement involves more than twenty five (25) shared parking spaces, results in more than a thirty five (35) percent decrease in required parking, or involves 3 or more parties.

(5) *Compliance.* Parties to a such shared parking ~~permits agreement~~ shall submit an annual statement to the department of safety and inspections which verifies the nonconcurrent peak parking hours of the buildings involved with the shared parking ~~permit agreement~~ and a list of uses within each building to verify no changes ~~have occurred that in uses which~~ would require additional parking. ~~If one or more of the parties or uses approved for the shared parking arrangement changes, the users shall submit an application to the zoning administrator, who will determine if the new combination of uses is eligible for a shared parking reduction or if additional off-street parking is required.~~

Table 63.206(d). Shared Parking

General Land Use Classification	Weekdays			Weekends		
	2 am – 7 am	7 am – 6 pm	6 pm – 2 am	2 am – 7 am	7 am – 6 pm	6 pm – 2 am
Office	5%	100%	5%	0%	10%	0%
Retail sales and services	0%	90%	80%	0%	100%	60%
Restaurant (not 24 hour)	10%	70%	100%	20%	70%	100%
Residential	100%	60%	100%	100%	75%	90%
Theater	0%	40%	90%	0%	80%	100%
<b>Hotel</b>						
Guest rooms	100%	55%	100%	100%	55%	100%
Restaurant /lounge	40%	60%	100%	50%	45%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%
Reception or meeting hall	0%	70%	90%	0%	70%	100%
Museum	0%	100%	80%	0%	100%	80%
School, grades K—12	0%	100%	25%	0%	30%	10%

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(g) Urban Land Institute's Model Shared Parking Program. When any land or building is used for two (2) or more distinguishable uses, or when owners or managers of a group of buildings in a contiguous area wish to provide parking cooperatively through a shared parking agreement, the planning commission may approve a shared off-street parking facility permit. The number of off-street spaces required to serve the combination of all uses shall be determined in accordance with this section. The uses to which this section may be applied are: Office, retail, restaurant, cinema, residential, and/or hotel. The methodology used to determine the minimum number of shared off-street spaces to serve the combination of all uses shall be the department of planning and economic development's current shared parking computer program, which is based on the Urban Land Institute's (ULI) Model Shared Parking Program. All mixed use developments using this section shall be meet the standards and requirements of the PED shared parking program subject to site plan approval as hereinafter set forth and except as otherwise amended herein. The following conditions shall apply to any shared parking facility for mixed uses: [Lane]

(1) All requirements and conditions imposed upon the shared parking facility shall be recorded on the abstracts or certificates of title of the land upon which the facility is located and on the titles and lease agreements of the uses sharing the facility and shall serve as notice to all subsequent purchasers of the existence of the shared parking facility and all associated requirements associated therewith.

(2) Each use in the mixed use development shall be within five hundred (500) feet of the shared parking facility, measured from the nearest point of the building in which the use is located to the nearest point of the shared parking facility.

(3) Parking spaces reserved on a twenty-four hour basis cannot be shared and may not be included in the minimum space requirements for the shared parking facility.

(4) All uses and buildings comprising the mixed use development, whether new or existing, must be included in determining the parking requirement under this section.

(5) All applications and plans for shared parking facilities shall be submitted for site plan review in accordance with the requirements of this code [add site plan code citation for reference]. All proposed uses for the mixed use development, together with all parking spaces and access drives, shall be clearly designated on the site plan. Landscaped areas shall also be designated, and proposed tree and shrubbery plantings shall be described. The commission may attach such additional conditions to approval of the site plan as are reasonable and necessary to prevent any adverse impact upon nearby streets or properties.

(6) Parking spaces designated for the handicapped persons with disabilities shall be provided in accordance with the provisions of the Accessibility Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA).

(7) After a shared parking facility has been approved, any subsequent change, addition or deletion in the original mixed land uses or change in intensity of such uses requiring more than five (5) additional spaces shall require permit review and approval by the planning commission. No conditional use or occupancy permit for the new or changed uses shall be issued without such approval from the planning commission unless additional off-street parking spaces are provided in accordance with section 63.207, Parking requirements by use. The applicant, its successors and assigns shall certify on demand in writing to the planning administrator and zoning administrator that the mixed use development and shared parking facility continue to comply with the provisions of this section, the conditions of site plan approval and any covenants, agreements or bonds executed in conjunction therewith; that no substantial physical or operational changes have been made to the mixed use development or shared parking facility; and that no intensification of uses has occurred.

(8) The month of the year that results in the greatest average daily peak demand will be used to determine the minimum number of parking spaces required. The planning commission may modify the standard assumptions

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(percent auto usage, patrons outside hotel, captive market retail, noncaptive market–nonretail, and noncaptive market residential) if the applicant provides proof of one (1) or more of the following:

- a. The location within five hundred (500) feet of the mixed use development of other parking facilities whose peak periods of use do not conflict with those of the proposed mixed use development or which have excess parking spaces;
- b. For office uses, a ride sharing program, when the applicant submits evidence that it will organize and coordinate a viable ride sharing program. The applicant may be required to submit covenants or other appropriate instruments, in recordable form, to ensure that the applicant and its successors and assigns will continue to implement the ride sharing program. Performance bonds may also be required where appropriate; or
- c. Reservation by the applicant by way of covenant or other instrument in recordable form of land or space within five hundred (500) feet of the mixed use development, sufficient to provide additional parking spaces equivalent to the number of spaces being reduced for a period of not less than five (5) years.

(C.F. No. 07-149, § 35, 3-28-07)

### Sec. 63.207. Parking requirements by use.

(a) Off-street parking minimum. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule: Table 63.207, Minimum Required Off-Street Parking By Use.

(b) Off-street parking reductions. The minimum number of off-street parking spaces as determined in Section 63.207(a) may be reduced for under special conditions.

1. Shared parking, as described in Section 63.206(d)
2. Bicycle parking, as described in Section 63.210(b)
3. Shared vehicle parking, as described in Section 63.211
4. Mixed-use corridors, as described in Section 63.212.

Such reduction does not change the requirements of paragraphs (c) and (d) below when minimum parking is exceeded, nor does it change the maximum number of off-street parking spaces permitted for the use. Any reduction to minimum off-street parking does not impact the conditions when minimum parking is exceeded or the maximum number of off-street parking spaces. The number of off-street parking spaces provided may be reduced for:

(dc) Off-street parking maximum. Where the minimum required parking as determined in Section 63.207(a) is greater than ten (10) spaces, parking facilities shall cannot be created that exceed the specified off-street parking minimum for food and beverage uses by more than two three hundred (2300%) percent of the minimum for restaurant or that exceed the specified minimum for all other uses by more than or one hundred and seventy (170%) percent of the minimum for all other uses, unless structured parking is provided for all parking spaces over the minimum required parking or a conditional use permit is approved based on demonstration of need. As an alternative, parking spaces over the maximum may be provided in a structured parking facility.

(ed) Conditions when minimum parking exceeded. Unless otherwise regulated in an overlay or zoning district, wWhen the minimum required parking as determined in Section 63.207(a) is greater than ten (10) spaces and is exceeded through the provision of additional surface parking, by up to 300% of the minimum for restaurant uses or 170% of the minimum for all other uses, the following provisions shall apply:



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1. Structured parking shall be provided for all parking spaces over the minimum required parking, or

2. Additional supplemental stormwater landscaping shall be provided as required in Section 63.319(b).

**Table 63.207(a). Minimum Required Off-Street Parking By Use**

Land Use	Minimum Number of Parking Spaces
<b>Residential Uses</b>	
One- and two-family Dwelling unit	1.5 spaces per unit
Dwelling in RL zone	2.0 spaces per unit
Dwelling unit Housing on Irvine Avenue	2.0 spaces per unit plus one (1) guest parking area per unit (see section 63.312)
Multiple-family dwelling unit	1 space per 1-2 room unit, 1.5 spaces per 3-4 room unit, and 2 spaces per unit with 5 or more rooms.  For the purpose of this requirement: efficiency unit = 1 room, one bedroom unit = 2 rooms, two bedroom unit = 3 rooms, three bedroom unit = 4 rooms, four bedroom unit = 5 rooms, and so on. A den, library, or other extra room shall count as a room; kitchen, dining and sanitary facilities shall not.
Housing for the elderly	0.33 spaces per unit
Live-work dwelling unit	2 spaces per unit
Community residential facility, emergency housing facility, free-standing foster care home, overnight shelter, shelter for battered persons, transitional housing facility	1.5 spaces per every 4 2-adult facility residents
Mission	1 space per employee
Sober house	1.5 spaces per every 4 adult residents
Rooming house, boardinghouse	1 space per 3 occupancy units
Boarding care home	1 space per 2 beds and 1 space per day shift employee or full-time equivalent
Nursing home, boarding care home, assisted living, hospice	1 space per every 3 residents beds and 1 space per each 2-day shift employees or full-time equivalent
Dormitory, fraternity, sorority	1 space for per every 3 residents beds
Fraternity, sorority	1 for every 5 active members or 1 for every 2 beds, whichever is greater
<b>Civic and Institutional Uses</b>	
<b>Educational Facilities and religious institutions</b>	
Day care center	1 space per employee
Elementary/middle/junior high school	1 space per employee teacher or administrator
Senior high school	1 space per employee, teacher and staff member and 1 space per 10 students
College, university, seminary, technical college, trade school, business school, arts school, dance school	1 space per every 2 employees and 1 per every 3 full-time students not on campus or 1 for every 3 part-time students, whichever is greater, plus required parking for other uses

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Technical college, trade school, business school	1 space per every 2 employees and staff members and 1 per every full time student or 3 part time students
University, college, seminary	1 per every 2 employees and staff members and either 1 per every 3 full time students not on campus or 1 for every 3 part time students, whichever is greater
<b>Social, cultural and recreational facilities</b>	
Club, lodge hall	1 space per 75 sq. ft. GFA
Golf course	4-6 spaces per hole and 1 per employee
Golf driving range	1 space per 15 feet of driving line
Museum, art gallery	1 space per 500 sq. ft. GFA
Non-commercial recreation, multi-use community center	1 space per 1,000-250 sq. ft. GFA
Public library	1 space per 500-450 sq. ft. GFA
<b>Religious Institutions</b>	
Church, chapel, synagogue, temple, place of worship	1 space per 250 sq. ft. GFA 1 space per 3 seats or 6 feet of pews in the main unit of worship
Convent, monastery, religious retreat	1 space per every 3 residents
<b>Public Services and Utilities</b>	
Utility building or public service building or yard	1 space per employee
<b>Commercial Uses</b>	
<b>Offices</b>	
Office (including, but not limited to: administrative, financial, insurance, professional, real estate, and sales offices)	1 space per 400 sq. ft. GFA
General office	1 space per 350 sq. ft. GFA
Office park	1 space per 400 sq. ft. GFA
Finance, insurance, real estate office	1 space per 275 sq. ft. GFA
Photographic studio	1 space per 400-800 sq. ft. GFA
<b>Medical facilities</b>	
Hospital	1-8 spaces per 2 beds
Medical or dental clinic, office medical laboratory	1 space per 400-250 sq. ft. GFA
Veterinary clinic/hospital	1 space per 400-250 sq. ft. GFA
<b>Retail sales and services</b>	
General retail, service business, bank, credit union, building materials center, business sales and services, convenience market, currency exchange, dry cleaning, commercial laundry, food and related goods sales, food shelf, furniture/appliance store, gun shop, shooting gallery, liquor store, lumber yard, massage center, pawn shop, photocopying, repair shop, self-service laundromat, supermarket,	1 space per 400 sq. ft. GFA up to 30,000 sq. ft. GFA, plus 1 space for each additional 800 sq. ft. GFA over 30,000 sq. ft. GFA



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tattoo shop, tobacco shop	
General retail, retail stores in general	1 space per 225 sq. ft. GFA
Bank	1 space per 240 sq. ft. GFA plus 5 stacking spaces per lane for drive-in bank
Beauty parlor, barber shop	1 space per 250 sq. ft. GFA
Convenience market, supermarket	1 space per 250 sq. ft. GFA
Drug store	1 space per 250 sq. ft. GFA
Furniture/appliance store	1 space per 500 sq. ft. GFA
Hardware/paint store	1 space per 340 sq. ft. GFA
Laundromats, coin-operated dry cleaners	1 space per every 3 washing or cleaning machines
Lumber yard, building materials center	1 space per 275 sq. ft. of indoor sales area plus 1 space per 5,000 sq. ft. of warehouse/storage
Massage parlor	1 space per 300 sq. ft. GFA
Greenhouse, garden center	1 space per 400 sq. ft. GFA plus 1 space per 1,000 sq. ft. outdoor sales or display area
Mortuary, funeral home	1 space per 150 sq. ft. GFA
Multi-use retail center	1 space per 400-280 sq. ft. GFA up to 30,000 sq ft GFA, plus 1 space for each additional 800 sq ft GFA over 30,000 sq. ft. GFA
Package delivery service	1 space per 500 sq. ft. GFA plus 1 space per employee
Post office	1 space per 500 sq. ft. GFA plus 1 space per each 2 employees
Pawn shop, within a completely enclosed building	1 space per 225 sq. ft. GFA
Pawn shop, with outdoor sales space	1 space per 400 sq. ft. of area for sales, office, plus 1 space per 2,000 sq. ft. of outdoor sales
Repair shop	1 space per 300 sq. ft. GFA
Service business with showroom or workshop, contractor's shop, exhibition hall	1 space per 900 sq. ft. GFA
<b>Food and Beverages</b>	
Brew on premises store	1 space per 900 sq. ft. GFA
Catering	1 space per 900 sq. ft. GFA
Coffee shop, tea house	1 space per 400-175 sq. ft. GFA
Restaurant with or without on-sale wine, strong beer, or nonintoxicating malt liquor	1 space per 125 sq. ft. GFA
Restaurant, carry-out, deli, fast food, with or without strong malt/wine or liquor	1 space per 400 sq. ft. GFA
Restaurant with strong malt/wine and entertainment license class A	1 space per 400 sq. ft. GFA
Establishment with on-sale intoxicating liquor or and entertainment license class A or B	1 space per 100 sq. ft. GFA and as required in section 63.206(c) 62.103(f)(3)
Establishment with on-sale intoxicating liquor or and entertainment license class B or C	1 space per 75 sq. ft. GFA and as required in section 63.206(c) 62.103(f)(3)
Restaurant, carry-out	1 space per 225 sq. ft. GFA
Restaurant, fast food	1 space per 110 sq. ft. GFA plus 6 stacking spaces for drive-through lane
<b>Lodging</b>	
Bed and breakfast residence	1-1.5 spaces per dwelling unit and 0.5 spaces per guest room
Hotel, inn, or motel	1 space per 3 occupancy units plus required parking additional for bars, restaurants, assembly rooms
<b>Commercial Recreation and Entertainment</b>	
Basketball, volleyball court	6-9 spaces per court

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Bowling, bocce ball center, billiard hall	2-4 spaces per lane, 1-2 spaces per table plus required parking for other uses
Dance hall, bingo hall, electronic game rooms, assembly halls without fixed seats, exhibition hall, reception hall	1 space per 200-75 sq. ft. GFA
Electronic game room	1 space per 400 sq. ft. GFA
Golf, driving range	1 space per 15 feet of driving line
Golf, miniature	1 space per hole
Marina	1 space per 2 slips
Roller rink, ice-skating rink	1 space per 300-400 sq. ft. GFA
Health/sports club (including, but not limited to: yoga, martial arts, and dance studios), Sports club, health spa, karate club	1 space per 400-260 sq. ft. GFA plus 1 space per employee
Stadium, sports arena	1 space per 4 seats or 8 feet of benches plus 1 space per 2 employees
Swimming club	1 space per 400 sq. ft. GFA
Tennis, racquetball, handball, courts/club	2-3 spaces per court or lane, 1 space per 300-260 sq. ft. GFA plus required parking for other uses of related uses, and 1 space per employees
Theater, auditorium, assembly hall with fixed seats, concert hall	1 space per 4 seats and 1 space per 2 employees
<b>Automobile Services</b>	
Automobile convenience market	1 space per 400-225 sq. ft. GFA
Automobile repair station-shop, service station, body shop, specialty store	1 space per 400-275 sq. ft. GFA plus 1 space per each auto service stall
Auto repair accessory to auto sales	1-2 spaces per auto service stall
Automobile sales new/used and rental	1 space per 400 sq. ft. GFA of cur area for sales, office, plus 1 space per 5,000-2,000 sq. ft. of outdoor sales
Car wash	5 stacked spaces per washing lane, 2.5 spaces per stall for self service, and 1 space per 2 employees
<b>Limited Production, Processing and Storage</b>	
Limited production and processing	1 space per 1,000 sq. ft. GFA or 1 space per 2,000 sq. ft. GFA if more than 50% of production floor space is occupied by automated machinery
Self service storage	1 space per 5,500 sq. ft. GFA
Warehousing, storage	1 space per 5,000 sq. ft. GFA
Wholesale establishment-Wholesaling	1 space per 1,500 sq. ft. GFA
<b>Industrial Uses</b>	
Industrial, manufacturing	1 space per 1,000-650 sq. ft. GFA or 1 space per 2,000 sq. ft. GFA if more than 50% of production floor space is occupied by automated machinery
Research, and development and testing laboratory	1 space per 575 sq. ft. GFA
Sheltered workshop	1 space per employee plus 1 for each 25 program participants
Utility building	1 space per employee

**Sec. 63.208. Parking requirements for other uses.**

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For those uses not specifically mentioned in section 63.207, the requirements for off-street parking shall be in accordance with a use which the ~~planning commission zoning administrator~~ considers as similar in type pursuant to Section 61.106, Similar use determination. When the ~~planning commission zoning administrator~~ determines that there is no use listed in section 63.207 which is similar to a petitioning use, the ~~planning commission zoning administrator~~ may determine the minimum number of parking spaces required for such use.

### **Sec. 63.209. Legal nonconforming parking deficiency.**

Nonresidential uses with a legal nonconforming parking deficiency may provide additional parking spaces, at a time when not associated with the expansion of the gross floor area or a change in use requiring additional parking, and bank those additional spaces to be that can be "saved" and used to meet a future increase in the parking requirement due to a change of use or addition. Such additional parking must be legally added with an approved site plan and can only be "saved" banked for three (3) years from site plan approval date for surface parking and for six (6) years from site plan approval date for structured parking. Such parking will not be used to decrease the legal nonconforming parking deficiency for this period of time. If these parking spaces are not needed to meet a new parking requirement associated with either an expansion of the gross floor area or a change in use requiring additional parking, after three (3) years for surface parking or after six (6) years for structured parking, the parking spaces will be used to decrease any legal nonconforming parking deficiency that may exist.

### **Sec. 63.211. Shared vehicle parking.**

Where one or more passenger automobiles are provided and managed on-site by an official car sharing provider for public use, the minimum required off-street parking as determined in Section 63.207(a) may be reduced by up to ten (10) percent. For the purpose of calculating the required parking reduction, one (1) car sharing vehicle and associated space may be substituted for every ten (10) standard parking spaces.

### **Sec. 63.212. Mixed-use corridors.**

The minimum amount of required off-street parking as determined in Section 63.207(a) may be reduced by up to ten (10) percent for sites located within 1,320 feet of a mixed-use corridor, as defined in section 60.214, measured from the center line of the corridor street to the nearest point of the site. Sites located within a campus boundary, as defined in Section 65.220(f), are not be eligible for the ten (10) percent mixed use corridor reduction.

### **Sec. 63.2123. Preferential parking spaces.**

For office, industrial, and institutional uses with more than twenty (20) parking spaces, up to five (5) spaces or five percent (5%) of parking spaces, whichever is less, may shall be reserved and designated for use by any of the following types of vehicles:

- (a) Car pool or van pool vehicles.
- (b) Vehicles designated as "US EPA Certified SmartWay® Elite" and displaying an official "SmartWay Elite" icon;
- (c) Share car or vehicle as provided under Section 63.211;

Preferential parking spaces shall be placed in a convenient location proximate to the building entrance and identified with appropriate signage. Preferential parking spaces shall count towards the total required parking spaces.

### **Sec. 63.2134. Accessible parking spaces.**

~~Section 63.206(e)~~ If parking spaces are provided for self-parking, accessible spaces shall be provided as required by the Accessibility Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA) in conformance with the table below. One (1) in every eight (8) accessible spaces, with a minimum of but at least one

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(1) space, shall be van accessible. Required spaces need not be provided in the particular lot but may be provided in a different location if equivalent or greater accessibility is ensured. Each space reserved for the exclusive use of the handicapped persons with mobility impairments shall be designated by a sign with the international wheelchair symbol. Parking facilities for residential uses with fewer than five (5) units are exempt from this standard but shall provide accessible spaces upon request of residents with handicaps disabilities.

Total Parking In Lot	Required Minimum Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 and over	20 plus 1 for each 100 over 1000

At facilities providing medical care and other services for persons with mobility impairments, parking spaces shall be provided in accordance with section 63.206(c) except as follows:

(1) Outpatient units and facilities: ten (10) percent of the total number of parking spaces provided for each such outpatient unit or facility shall be accessible to persons with disabilities;

(2) Units and facilities that specialize in treatment or services for persons with mobility impairments: twenty (20) percent of the total number of parking spaces provided for each such unit or facility shall be accessible to persons with disabilities.

If an existing parking facility loses off-street parking spaces as a result of moving the facility toward compliance with the provisions of the Americans with Disabilities Act, the parking facility shall be credited with the number of parking spaces lost when calculating the total number of spaces provided for zoning purposes.

**Sec. 63.2145. Use of required parking facilities.**

**Section 63.206(f)** Required parking spaces shall be available for the use of residents, customers, or employees of the use. The storage of merchandise or trucks, the repair of vehicles, or the business of selling merchandise is prohibited in off-street parking areas.

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ARTICLE III. 63.300. OFF-STREET PARKING FACILITY STANDARDS AND DESIGN

**Sec. 63.302. Site plan review.**

A site plan shall be submitted for review as outlined in section 61.402. In addition, the following shall be submitted:

(a) Ownership of all lots or parcels intended for use as parking;

(b) Indication of all structures or facilities to be served by the off-street parking facility; **and**

**(c) All applications and plans for shared parking facilities:**

**(d) ~~(e)~~ Location and direction of drainage for stormwater runoff; **and****

**(e) Location and design of stormwater management features such as stormwater landscaping, rain gardens, bio-retention areas, swales, infiltration trenches, sand filters, and porous pavement, including construction details where applicable.**

Applications for building permits that involve changing any parking space to another use shall include the following information:

(1) All uses, structures or facilities served by such off-street parking spaces;

(2) Total number of parking spaces accessory to such uses, structures or facilities; and

(3) Number of parking spaces proposed to be changed to another use.

**Sec. 63.303. Parking location, residential.**

Residential off-street parking shall consist of an off-street parking facility or parking spaces as defined in this code. Parking spaces for one- and two-family dwelling units shall be located on the same zoning lot that they are intended to serve. Parking spaces for buildings containing three (3) or more dwelling units shall be on the same zoning lot, **part of a shared parking arrangement pursuant to section 63.206(d),** in a VP vehicular parking district, or in an abutting zoning lot in the same or less restrictive zoning district.

**When residential parking is provided as part of a shared parking arrangement, the shared parking facility shall be clearly designated with an identification sign as described in section 64.401(j) and located within five hundred (500) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking facility.**

**Sec. 63.304. Parking location, nonresidential.**

Off-street parking for other than residential use shall be either:

(a) On the same zoning lot as the building it is intended to serve; or

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(b) In a VP vehicular parking district ~~or~~ within the same or a less restrictive zoning district as the principal use ~~or~~ within a more restrictive zoning district providing the principal use is also an allowed use in that zone. This parking shall be located within three hundred (300) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot; or

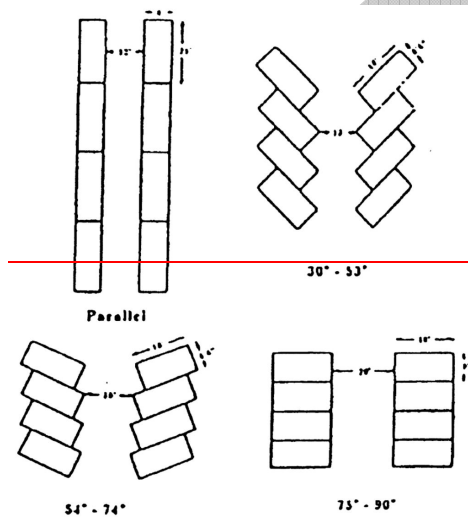
(c) Part of a shared parking arrangement pursuant to section 63.206(d) or a shared commercial parking arrangement in an institutional lot pursuant to section 65.732. The shared parking facility shall be clearly designated with an identification sign as described in section 64.401(i) and located within five hundred (500) feet of the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking facility.

**Sec. 63.305. Minimum layout dimensions.**

Pattern	Parking Space Width	Parking Space Length	Maneuvering Lane Width
Parallel Parking	8 ft.	21 ft.	12 ft.
30 - 53	8 ft., 6 in.	18 ft.	12 ft.
54 - 74	8 ft., 6 in.	18 ft.	15 ft.
75 - 90	9 ft.	18 ft.	20 ft.

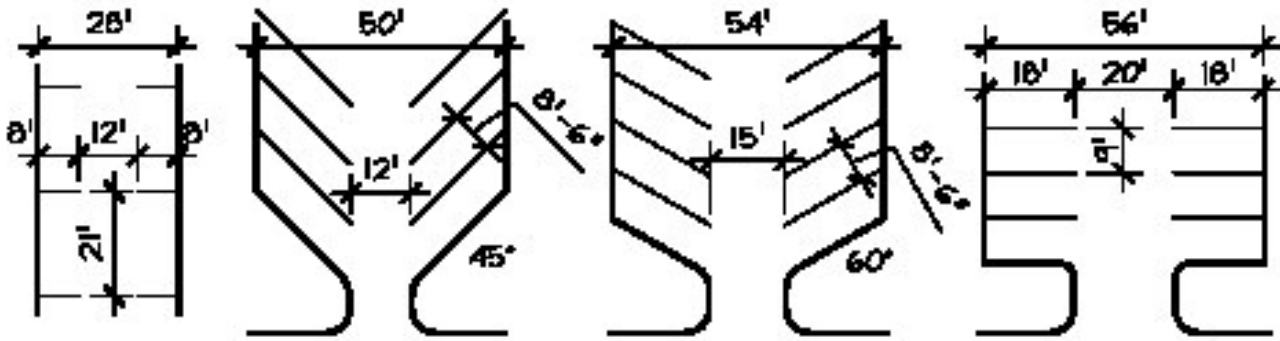
The front two (2) feet of the standard parking space may be landscaped (instead of paved) with ground cover plants which the vehicle can overhang. Landscaped portions of parking spaces count toward parking lot interior landscaping requirements and overall site landscaping requirements, but do not count toward perimeter landscaping requirements.

INSET: Parking Space Pattern Replace old figure below and new figure following





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**Sec. 63.307. ~~Handicapped~~ Accessible parking spaces and passenger loading zones.**

Parking spaces and passenger loading zones for persons with disabilities ~~the handicapped~~ shall be designed in accordance with the provisions of the Accessibility Guidelines for Buildings and Facilities of the Americans with Disabilities Act (ADA).

**Sec. 63.308. Maneuvering lanes.**

~~Except as provided in section 63.309, access to any parking space for a use other than one- or two-family structures~~ Access to all off-street parking facilities shall be provided by a maneuvering lane. ~~All off-street parking facilities shall be designed so that any vehicle leaving or entering the facility from or onto a public street shall be traveling forward except in the following circumstances:~~

- (a) ~~Parking for one- and two-family structures;~~
- (b) ~~Parking facilities with seven (7) or fewer parking spaces where the applicant can establish, in the review of a site plan application, that allowance of alley access would not create or aggravate an unsafe condition; and~~
- (c) ~~As provided in section 63.309.~~

~~Driveways for one- and two-family dwellings shall be a minimum of eight (8) feet in width.~~

**Sec. 63.310. Entrances and exits.**

Adequate entrances and exits to and from the parking facility shall be provided by means of clearly defined and limited drives. The number of curb cuts shall be minimized, and shared curb cuts for adjacent parking areas are encouraged. When driveways no longer lead to legal off-street parking, the driveway and curb cut shall be removed and landscaping and curbing shall be restored.

~~[Retain current code language in subsections (a) – (f)]~~

**(g) Entrances and exits to and from a parking facility shall be at least five (5) feet from existing or planned boulevard trees.**

**Sec. 63.311. Wheel stops.**

Provisions shall be made ~~by use of such devices as curbs, wheel stops and earth berms~~ to prevent vehicles from damaging or overhanging adjacent property, ~~or public rights-of-way, or damaging required landscaping by use of such devices as curbs, wheel stops, earth berms or other protective barriers.~~ A two (2) foot landscaped vehicle overhang is allowed in accordance with Section 63.305 Minimum Layout Dimensions.

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### Sec. 63.312. Setback.

Except as otherwise provided in section 66. 442(~~ac~~) or section 66.431(b) off-street parking spaces shall not be within a required front or side yard and shall be a minimum of four (4) feet from any lot line. For housing on Irvine Avenue, a guest parking space may be provided on the driveway or elsewhere. If it is provided elsewhere, a guest parking area is exempt from setback requirements for parking spaces and it may be paved with gravel.

### Sec. 63.314. Landscaping.

For any parking facility, other than ~~a structured parking garage~~, landscaping shall be provided to buffer the facility from adjacent properties and from the public right-of-way; reduce the visual glare and heat effects of large expanses of pavement; and provide areas for the retention and absorption of stormwater runoff. All required yards and any underdeveloped space shall be landscaped using materials such as trees, shrubs, sod, ~~or~~ groundcover plants, or stormwater landscaping as required in Section 63.319, Stormwater runoff, and defined in Section 60.213.

Any landscaped area shall be planted and maintained in accordance with section 63.115, Landscaping and plant materials. All parking and loading areas (including drive-through facilities, outdoor auto sales and rental, pump island service areas and stacking spaces) adjoining public streets or sidewalks shall provide:

- (a) Perimeter landscape. A landscaped yard at least 4 feet wide along the public street or sidewalk. If vehicles ~~may~~ overhang the yard, an additional three (3) feet of width shall be provided.
- (b) Screening landscape. In all districts except industrial districts, screening shall be provided consisting of a masonry wall or decorative fence (not including chain link) supplemented with landscape material, forming a screen a minimum of three (3) feet in height, a maximum of four and one-half (4 1/2) feet in height not including trees, and not less than 50 percent opaque.
- (c) Interior landscape. In addition to perimeter landscaping, parking lots of more than fifty (50) cars shall contain planted islands. ~~As a minimum, one (1) square foot of landscaped area shall be provided for every ten (10) square feet of paving. Parking facilities with more than twenty (20) parking spaces or 6,000 square feet of paving, whichever is less, shall provide fifteen (15) square feet of interior landscaped area for every one hundred (100) square feet of paving. Interior landscaping may not substitute for perimeter landscaping, but may join perimeter landscaping as long as it extends at least four (4) feet into the parking area from the perimeter landscape line.~~
- (d) Tree Plantings. A minimum of at least one (1) shade tree shall be planted for every five (5) parking spaces in a surface parking lot. Trees shall be planted at regular intervals within the perimeter landscaping and any required interior landscaping. ~~Each tree~~ Trees shall be planted in landscaped areas or in the center of unpaved tree wells of at least three (3) feet in soil depth and one hundred (100) eighteen (18) square feet in area as measured from the interior edge of curbing or paving, with a minimum dimension of three (3) four (4) feet wide. A soil volume of greater than five hundred (500) cubic feet per tree with a minimum planting dimension of eight (8) feet is recommended for improved tree health and survival.
- (d) ~~A fast food restaurant that is not part of a retail strip center shall provide, as a minimum, one and one-half (1.5) square feet of landscaped area for every ten (10) square feet of paving.~~
- (e) Internal Walkways. Parking facilities with more than 125,000 square feet of paved area shall provide internal walkways that divide the parking lot into smaller areas no greater than 55,000 square feet. Internal walkways shall be a minimum width of four (4) feet and should connect primary buildings on the site with access to parking areas and the public sidewalk system on adjacent streets. With the exception of walkway/driveway crossings, walkways should be separated from vehicle parking or maneuvering areas by grade, different paving material, or landscaping.

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Internal sidewalks shall meet the requirements of applicable accessibility standards and other design and construction standards adopted by the City.

### Sec. 63.315. Maintenance.

All areas of all off-street parking facilities shall be kept in a good state of repair and free from refuse and debris. Required parking areas shall be cleared of snow within a reasonable time.

### Sec. 63.318. Lighting.

All parking facilities, including bicycle parking, shall be illuminated to a level to allow safe, secure access to the parking facility and within it. Light fixtures on the top level of parking structures shall be set back from the edge so that they are not visible from the adjoining street. All parking facility illumination shall conform to the provisions of section 63.116, exterior lighting.

### Sec. 63.319. Stormwater runoff.

(a) Stormwater drainage from off-street parking facilities of greater than one-quarter (1/4) of an acre of total disturbed area into public sewers shall be controlled so that peak stormwater discharge rates from the site for all storms up to and including the critical 100-year frequency will not exceed:

$$Q = 1.64 \times A$$

where Q = the maximum acceptable discharge rate in cubic feet per second and A = the site area in acres.

Parking facilities shall be designed in accordance with best management practices to comply with required local and regional water quality, volume, and rate control standards. These standards include but are not limited to Chapter 52, Stormwater Runoff. Parking lots shall also abide by operation and maintenance regulation as specified by local and regional authorities, so that discharge of all stormwater runoff and surface water shall be in a fashion so as to preclude drainage of water onto adjacent property or toward buildings.

(b) For sites with greater than one-quarter (1/4) of an acre of total disturbed area, when the minimum required parking as determined in Section 63.207(a) is constructed as surface parking and is exceeded by more than four (4) parking spaces and up to one hundred and seventy (170%) percent of the minimum required parking, the following provisions for stormwater management shall apply unless otherwise regulated in an overlay zoning district:

1. Thirty (30) square feet of stormwater landscaping shall be provided per parking space over the minimum required parking. Stormwater landscaping shall be designed to include an under drain system if stormwater landscaping is located in areas with: hydrologic soil type C (Sandy clay loam), or D (Clay); groundwater or bedrock within 3 feet of the bottom of the infiltration area; nearby wells or utilities; or potential contamination, or

2. Stormwater landscaping shall not be required if located in areas with hydrologic soil type D (Clay); groundwater or bedrock within 3 feet of the bottom of the infiltration area; nearby wells or utilities; or potential contamination.

2. Compliance with another provision as specified in Section 63.207(c).

(c) For parking facilities with greater than one (1) acre of total disturbed area, other local, state, and regional regulations also apply.

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## Related Zoning Code Updates

### ARTICLE II. 60.200. GENERAL DEFINITIONS

#### Section 60.207. F.

*Floor area, gross* (for the purposes of computing parking). The sum of the horizontal areas of each floor of a building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings. The gross floor area measurement is exclusive of areas of unfinished basements, unfinished cellars, unfinished attics, attached garages, space used for off-street parking or loading, breezeways, enclosed and unenclosed porches and accessory structures. ~~However, unfinished basements and unfinished cellars are counted as storage space for purposes of meeting parking requirements.~~

~~*Floor area, gross leasable* (for the purposes of computing shared parking under section 63.206). The total floor area of a building or structure designed for the tenants' occupancy and exclusive use, including basements, mezzanines and upper floors, expressed in square feet and measured from the outside face of the exterior walls and from the centerline of common walls or joint partitions. All that area for which tenants pay rent, including sales and integral stock areas, but excluding stairwells, elevator shafts, mechanical rooms, space related to the operation and maintenance of the building, and lobbies and bathrooms located for common or public use rather than for tenant or internal use.~~

#### Section 60.213. L.

~~*Landscaping, stormwater.* Landscaping that integrates stormwater management into the aesthetic amenities of landscaping. Stormwater landscaping shall include recessed landscaped areas for water runoff collection, graded areas that direct runoff flows to landscaped areas designed for water collection, landscaped areas designed for temporary ponding after storms, and use of highly permeable soils conducive to water drainage.~~

#### Section 60.214. M.

~~*Mixed-use corridor.* Those streets or segments of streets where there is concentrated transit service to connect and reinforce major neighborhood centers and residential areas. The City's designated mixed-use corridors include:~~

- ~~University Avenue, between Emerald Street and Robert Street~~
- ~~Energy Park Drive, between Snelling Avenue and Lexington Parkway~~
- ~~Como Avenue between Dale Street and Rice Street, and between Raymond Avenue and Luther Place~~
- ~~Dale Street between Interstate 94 and Maryland Avenue~~
- ~~Rice Street between Interstate 94 and Larpentour Avenue~~
- ~~East 7<sup>th</sup> Street between downtown and Birmingham Street~~
- ~~Payne Avenue between Phalen Boulevard and Orange Avenue East~~
- ~~Arcade Street between Neid Lane and Wheelock Parkway~~
- ~~Maryland Avenue between Arcade Street and White Bear Avenue~~
- ~~White Bear Avenue between Minnehaha Avenue and Ames Place, and Cottage Avenue East to Larpentour Avenue~~
- ~~Neighborhood center between Kennard Street North, Wilson Avenue, Pederson Street, Hudson Road, McKnight Road S, and Burns Avenue~~
- ~~Selby Avenue between Fairview Avenue and John Ireland Boulevard~~
- ~~Grand Avenue between Fairview Avenue and Oakland Ave S~~
- ~~Randolph Avenue between Fairview Avenue and Shepard Road~~
- ~~Ford Parkway between Mississippi River Boulevard S and Howell Street~~

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~~Snelling Avenue between Ford Parkway and Hoyt Avenue~~  
~~West 7<sup>th</sup> Street, Grand Avenue to west City border~~  
~~Smith Avenue between Cherokee Avenue and Annapolis Street~~  
~~Stryker Avenue between Congress Street West and Baker Street West~~  
~~Robert Street between Fillmore Avenue East and Annapolis Street~~  
~~Wabasha Street between Water Street and Cesar Chavez Street~~  
~~Cesar Chavez Street between Wabasha Street and Ada Street~~

*Multiuse retail center.* A single, unified development on one (1) zoning lot that provides commercial space to a variety of retail uses and has at least twenty thousand (20,000) square feet of gross floor leasable area.

**Section 60.217. P.**

*Parking, structured.* Off-street parking that is placed within a ramp, deck, underground, enclosed building, or tuck-under garage.

*Pervious pavement.* Paving material that allows water to flow through it to minimize stormwater runoff.

**Section 60.219. R.**

*Runoff.* Rainfall, snowmelt, or irrigation water flowing over the ground surface.

**Section 60.221. T.** *[Retain this section as is, do not replace with "mixed use corridor".]*

*Transit street.* Those streets or segments of streets where there is high volume transit service and/or a minimum level of 10 minute peak frequency as follows: University Avenue, Robert Street between University Avenue and Concord Street, Concord Street between Wabasha Street and State Street, and Wabasha Street between Twelfth Street and Winifred Street.

**ARTICLE I. 63.100. GENERAL PROVISIONS AND PERFORMANCE STANDARDS**

**Section 63.115(a). Landscaping and plant materials.**

(3) Stormwater treatment shall employ best management practices and shall be integrated into the landscape design to the extent possible. When stormwater management is integrated into landscaping, the landscaping shall be referred to as stormwater landscaping.

**Section 63.122. Travel demand management.** *[This TDM section was rewritten by staff and the City Attorney's office. The text below is proposed to replace the originally drafted TDM text which is crossed out after it.]*

*(a) Purpose.* The Travel Demand Management (TDM) provisions of this section are intended to implement Comprehensive Plan policies calling for balance and choice in transportation options; coordination between transportation options and land use; maximizing the use of alternative travel modes such as ridesharing, public transit, bicycling, and walking; and offering other choices such as staggered work hours, preferential parking, and telecommuting; in order to reduce motor vehicle travel and thus traffic congestion in the City, enhance the efficiency of transportation facilities and infrastructure, improve air quality, conserve energy and enhance productivity.

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- (b) *Applicability.* This section applies to any development or redevelopment, including phased construction, requiring more than one hundred (100) parking spaces, and to any change in use requiring more than one hundred (100) additional parking spaces, based upon the parking requirements in sections 63.207 and 63.208.
- (c) *Program requirements.* No building or grading permit shall issue for any project subject to this section until the zoning administrator has issued written findings that a TDM plan has been prepared which meets the requirements of this section. All development, redevelopment, or change in use for which this section is applicable shall be subject to the following requirements.
- (1) *Plan submission and approval.* The TDM plan must be submitted and approved as part of site plan review under the provision of section 61.402.
- (2) *Plan content.* The TDM plan may be prepared by a qualified traffic engineer or the owner of the property where the project will take place. Assistance with writing a TDM plan may also be available through the City's designated Transportation Management Organization if such an organization is designated and available. All TDM plans shall contain at a minimum the following:
- a. A description of the methodology used to create the TDM plan, including but not limited to forecasts of overall and peak period employment, customers, residents, trips generated, mode splits, parking demand and supply, and transit demand and supply;
  - b. A description of the TDM plan objectives and quantifiable goals, including peak hour vehicle trip reduction goals;
  - c. A description of TDM strategies and implementation actions, such as but not limited to: employer subsidized transit passes; on-site transit facilities; preferential parking for ride sharing, share car, and alternative fuel vehicles; on-site bicycle and pedestrian facilities; and telecommuting and flex scheduling opportunities;
  - d. A description of TDM evaluation measurements, processes, and benchmarks that will be used to determine the effectiveness of the TDM strategies used and progress towards achieving the TDM plan's goals;
  - e. Proposed total expenditures to implement the TDM plan for at least two (2) years following the issuance of the certificate of occupancy;
  - f. A statement that the TDM plan implementation date shall be six (6) months after the certificate of occupancy is issued; and
  - g. A statement that the TDM plan final compliance date shall be two (2) calendar years after the initial TDM plan implementation date.
- (3) *Security agreement.* To ensure TDM plan implementation, the property owner/developer shall file a security agreement in the form of an irrevocable letter of credit, a performance bond, or cash escrow equal to the development's two year TDM plan budget specified in section 63.122(c)(2)e. Such security agreement shall be filed with the zoning administrator within one (1) year of site plan approval.
- (d) *Compliance.* The developer, property owner, or their successors and assigns must demonstrate a good faith effort to meet the goals and implementation strategies set forth in the approved TDM plan by submitting to the zoning administrator an Annual Status Report within thirty (30) days of the one year and two year anniversary dates of the issuance of the certificate of occupancy for the project. The zoning administrator, within sixty (60) days of receipt of the Annual Status Report, will review the Report to determine if a good faith effort has been made to implement the goals described in the TDM plan or that the goals described in the TDM plan have been met. The Annual Status Report must at a minimum include written documentation of the following:



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- (1) Results of follow up surveys, in a format approved by the zoning administrator, to determine the progress toward achieving the goals set forth in the approved TDM plan;
- (2) Documentation of annual expenditures made to implement the strategies listed in the TDM plan; and
- (3) Evidence of implementation of TDM strategies listed in the TDM plan on a schedule that would reasonably allow achievement of TDM goals by the target compliance date.

(e) *Final plan evaluation, release, forfeiture of security agreement.* If the developer, property owner, or their successors or assigns demonstrates a good faith effort to achieve the goals set forth in the approved TDM plan by the TDM plan compliance date, the TDM security agreement shall be released by the zoning administrator within ten (10) business days of the administrator's determination. Failure to comply with the provisions of an approved TDM plan constitutes a violation of this Code. If the developer, property owner, or their successors or assigns fail to submit a timely Annual Status Report that demonstrates a good faith effort to achieve the goals set forth in the approved TDM plan, the zoning administrator may hold the TDM plan's security agreement for an additional twelve (12) month period at the end of which period an additional Annual Status Report must be submitted. At the end of the additional period, the zoning administrator shall determine whether there has been a good faith effort to reach the goals of the TDM plan. The TDM security agreement will either be released or forfeited based upon the administrator's determination. If the zoning administrator determines on the basis of the Annual Status Reports that the failure to implement the strategies set forth in the TDM plan or otherwise achieve the TDM plan goals is attributable to inexcusable neglect on the part of the developer, property owner, or their successors and assigns, the financial guarantee shall be immediately forfeited to the City.

(a) *Purpose.* Travel Demand Management (TDM) programs are intended to reduce vehicle miles traveled, increase usage of transit, biking and walking, and decrease overall parking demand by supporting measures such as carpooling, offering transit subsidies, furnishing bicycle facilities, and providing shuttle service from off-site parking facilities.

(b) *Applicability.* Any development, redevelopment or change in use requiring more than one hundred (100) parking spaces shall provide a travel demand management (TDM) plan that addresses transportation impacts of the development on air quality (through vehicle miles traveled), land use and watersheds (by reducing parking demand), and roadway infrastructure (by reducing congestion).

(c) *Program requirements.*

(1) *Plan content.* Assistance with writing a TDM plan is offered through Saint Paul's designated Transportation Management Organization. Any TDM plan shall contain at least the following:

a. Description of the process and inputs used to create the TDM plan, including but not limited to forecasts of overall and peak period employment, customers, and residents, forecasts of trips generated and mode splits, parking demand and parking supply available, and transit demand and transit supply available;

b. Description of the TDM plan objectives and quantifiable goals, including peak hour trip reduction goals;

c. Program details including TDM strategies and implementation actions, such as: employer subsidized transit passes; on-site transit facilities; preferential parking for ride sharing, share car, and alternative fuel vehicles; on-site bicycle and pedestrian facilities; and telecommuting and flex scheduling opportunities.

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d. Evaluation measurements and process that will be used to determine the effectiveness of the TDM strategies used and progress towards achieving the plan's TDM goals.

e. Proposed total expenditures to implement the TDM plan for at least two (2) years following the issuance of the Certificate of Occupancy.

(2) *Plan submission and approval.* The plan must be submitted and approved as part of site plan review under the provision of section 61.402.

(3) *Security agreement.* The property owner/developer must provide a security agreement within three (3) months of site plan approval to ensure implementation of TDM goals when a TDM plan is required. The financial guarantee is equal to the development's two year TDM plan budget. The security agreement shall be provided in a form specified under the provisions of section 61.402(e).

(d) *Compliance.* The City will review the annual TDM plan status reports to determine if a good faith effort has been made to meet the goals and implementation strategies of the approved TDM plan.

(1) *Implementation date.* The TDM plan implementation date shall be six (6) months after the Certificate of Occupancy is issued.

(2) *Compliance date.* The TDM plan compliance date shall be two (2) calendar years after the initial TDM plan implementation date.

(3) *Good faith effort.* Property owners must demonstrate through TDM plan status reports that a good faith effort has been made to meet the goals and implementation strategies of the approved TDM plan. The TDM plan status reports shall include written documentation of the following:

a. Statistically valid surveys to determine the progress toward achieving the goals set forth in the approved TDM plan;

b. TDM strategies selected for implementation that have a reasonable likelihood of success based on the recommendations of the approved TDM plan; and

c. Evidence of implementation of selected TDM strategies, or their equivalent, on a schedule that would reasonably allow achievement of TDM goals by the target compliance date.

(4) *Plan evaluation.* Assistance with writing a TDM plan status report is offered through Saint Paul's designated Transportation Management Organization. The property owner or its successors or assigns shall submit an annual status report in years one and two after the TDM plan implementation date. The status report shall be submitted to the City for review.

a. If the property owner or its successors or assigns demonstrates a good faith effort to achieve the goals set forth in the approved TDM plan by the TDM plan compliance date, the TDM financial guarantee shall be released.

b. Failure to comply with the provisions of an approved TDM plan constitutes a violation of this Code. If the property owner or its successors or assigns fails to demonstrate a good faith effort to achieve the goals set forth in the approved TDM plan by the TDM plan compliance date, the TDM financial guarantee may continue to be held by the City for up to another 12-month period. The TDM financial guarantee at the end of the additional 12-month period will be either released or forfeited based upon achievement of the approved TDM plan goals.

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ARTICLE II. 65.100. RESIDENTIAL USES

**Section 65.142. Live-work unit.**

- (d) ~~A total of two~~ Off-street parking spaces shall be ~~provided for a live-work unit,~~ located to the rear of the unit, or underground/enclosed.

ARTICLE V. 65.400. COMMERCIAL USES

**Section 65.513. Drive-through sales and services, primary and accessory.**

(e) Stacking spaces shall be provided for each drive-through lane. Banks, credit unions, and fast-food restaurants shall provide a minimum of four (4) stacking spaces per drive-through lane. Car washes shall provide a minimum of four (4) stacking spaces per washing lane and two (2) stacking spaces per self-service stall. Stacking spaces for all other uses shall be determined by the zoning administrator.

- (fe) There shall be no more than one (1) drive-through lane and no more than two (2) drive-through service windows, with the exception of banks, which may have no more than three (3) drive-through lanes.

**Section 65.615. Restaurant, fast-food.**

(i) ~~A landscaped area not less than fifteen (15) percent of the impervious surface area of the lot shall be provided and maintained~~

- (ij) Impact on adjoining property by use of the site may not result in the following:

ARTICLE III. 66.300. TRADITIONAL NEIGHBORHOOD DISTRICTS

**Sec. 66.331. Density and dimensional standards table.** [This code section is now proposed for no change from current code, since "mixed use corridor" definition is not recommended for adoption.]

(e) A maximum height of forty-five (45) feet may be permitted with a conditional use permit when the structure is within six hundred (600) feet of an existing or planned transit stop ~~on a designated transit street~~ mixed-use corridor. A maximum height of sixty-five (65) feet may be permitted with a conditional use permit for property along University Avenue within six hundred (600) feet of an existing or planned transit stop, except on the following blocks, where heights greater than forty-five (45) feet would generally be incompatible with the surrounding neighborhoods: north side of University between Aldine Street and St. Albans Street, and between Kent Street and Galtier Street; and south side of University between Oxford Street and St. Albans Street, and between Mackubin Street and Galtier Street.

**Section 66.341. Required conditions in TN1 – TN2 traditional neighborhood districts.**

- (a) Amount of parking.

(1) ~~The minimum amount of required parking shall be as specified in chapter 63.~~

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(2) The maximum amount of surface parking shall not exceed the specified minimum by more than ten (10) percent or two spaces, whichever is greater. If additional parking is desired, it must be placed underground, within an enclosed building, or in a tuck-under garage.

(3) For properties having frontage on a transit street, as defined, the minimum amount of required off-street parking for nonresidential uses, as specified in chapter 63, may be reduced by up to twenty-five (25) percent.

(4) For properties within one-quarter ( $1/4$ ) mile of a transit street, as defined, the minimum amount of required off-street parking for residential uses **specified in section 63.207, Parking requirements by use,** may be reduced to one (1) parking space per dwelling unit. This provision applies to principal and secondary dwelling units and units in mixed-use buildings, but not to live-work units.

**Section 66.342. Parking requirements in the TN3 traditional neighborhood district.**

(a) *Amount of parking.*

(1) The minimum amount of required ~~off-street~~ parking **for residential uses shall be as specified in Section 63.207, Parking requirements by use may be reduced to one (1) parking space per dwelling unit.** ~~two-thirds (2/3) of the minimum specified in chapter 63.~~ On-street parking located along the frontage of a property may be used to meet parking requirements for that property.

(2) The maximum amount of off-street surface parking shall not exceed one hundred (100) percent of the minimum specified in chapter 63. If additional parking is desired, it must be placed underground, within an enclosed building, or in a tuck-under garage.

**ARTICLE IV. 66.400. BUSINESS DISTRICTS**

**Section 66.442. Parking requirements in the BC community business (converted) district.**

In the BC community business (converted) district, when existing buildings are converted from residential to business use, when existing buildings are enlarged, and when new buildings are erected, off-street parking shall be provided as follows:

(a) Residential uses: One and one-half ( $1\frac{1}{2}$ ) spaces per dwelling unit.

(b) All other uses: One (1) space for every four hundred (400) square feet of gross floor area or as required in section 63.200, whichever requires the fewer number of parking spaces.

(ae) Off-street parking spaces shall not be located within a front yard and must be set back at least two (2) feet from a side lot line.

(be) Off-street parking facilities on lots without principal buildings shall provide principal access from the street.

**ARTICLE VII. 66.700. VP VEHICULAR PARKING DISTRICT**

**Section 66.704. Required conditions.**

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(f) Applications for VP district rezoning shall include a site plan which conforms to parking requirements as set forth in section 63.200 and all standards set forth in section 63.300. The planning commission may grant modifications of section 63.300 based on findings that such modification is consistent with the intent of the code and with the reasonable enjoyment of adjacent property.

(g) VP vehicular parking districts shall be developed and maintained in accordance with the requirements of section 63.200 and section 63.300.

ARTICLE IV. 67.400. WB WHITE BEAR AVENUE OVERLAY DISTRICT

**Section 67.402. WB White Bear Avenue overlay district.**

(e) *Accessory parking regulations.* The following accessory parking regulations shall apply to the WB White Bear Avenue overlay district:

(2) Quantity: Parking shall be provided as the zoning requires for each use, except as follows:

a. For retail, medical, service and office uses, if a transit shelter is provided on site then required parking spaces shall be reduced by five (5) percent but not to exceed five (5) spaces total;

b. For retail, medical, service, and office uses, required parking may be reduced by the establishment of a parking district for the purposes of sharing parking within one (1) shopping area; parking areas must be clearly identified and provided with dedicated pedestrian links to the street; the establishment of a commercial parking district to allow a reduction in parking required shall be subject to review and approval by the planning commission.

c. The development of shared parking is allowed as regulated in sections 65.732 and 63.206(d)(g). Additionally, medical and service uses may participate in a shared parking agreement provided that it can be demonstrated that there will be adequate parking in combination with the other uses listed in section 63.206(g).

ARTICLE VII. 67.700. CC CENTRAL CORRIDOR OVERLAY DISTRICT

**Section 67.707. Parking regulations.**

The following parking regulations shall pertain to the CC Central Corridor Overlay District:

(a) *Amount of parking.* Nonresidential uses: the minimum amount of required off-street parking shall be as specified in Section 63.207, Parking requirements by use. The maximum amount number of required off-street parking spaces required shall be a minimum of sixty (60) percent to a maximum of eighty-five (85) percent one-hundred and forty (140) percent of the zoning code parking requirements in section 63.207 and are subject to the provisions of section 63.207(c) and 63.207(d). The maximum may be exceeded if the additional parking spaces are structured (in a ramp, deck, underground, or within a building). Residential uses: there shall be no minimum parking requirement for residential uses. A maximum of one (1) space per unit may be provided. The maximum may be exceeded within the provisions of section 63.207(c) if the additional parking spaces are structured.